

**FILED**  
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U.S. DISTRICT COURT, E.D.N.Y.  
★ APR 06 2006 ★  
BROOKLYN OFFICE

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
UNITED STATES

05-CR-192

against

LOUIS EPPOLITO and  
STEPHEN CARACAPPA

-----X

APPENDIX A:	Verdict Form
APPENDIX B:	List of Government's Admitted Exhibits
APPENDIX C:	List of Defendant Caracappa's Admitted Exhibits
APPENDIX D:	List of Defendant Eppolito's Admitted Exhibits
APPENDIX E:	List of Government's Witnesses
APPENDIX F:	List of Defendant Caracappa's Witnesses

APPENDIX A: VERDICT FORM

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

- - - - -X

UNITED STATES OF AMERICA

- against -

Cr. No. 05-192 (JBW)

LOUIS EPPOLITO and  
STEPHEN CARACAPPA,

Defendants.

- - - - -X

**COUNT ONE: RACKETEERING CONSPIRACY OFFENSE**

The defendants have been charged with racketeering conspiracy. You have already been instructed on the law as it pertains to racketeering conspiracy. Do you find that the defendants agreed to participate in the conduct of the affairs of an enterprise?

Defendant Eppolito

Yes ✓

No       

Defendant Caracappa

Yes ✓

No

You are to indicate whether you find "proved" or "not proved" the defendant's agreement to participate in the charged racketeering acts.

**Racketeering Act One: (Israel Greenwald)**

A. Kidnaping Conspiracy

Defendant Eppolito	Proved <u>✓</u>	Not Proved <u>      </u>
Defendant Caracappa	Proved <u>✓</u>	Not Proved <u>      </u>

B. Kidnaping (Aiding and Abetting Kidnaping)

Defendant Eppolito	Proved <u>✓</u>	Not Proved <u>      </u>
Defendant Caracappa	Proved <u>✓</u>	Not Proved <u>      </u>

C. Murder Conspiracy

Defendant Eppolito	Proved <u>✓</u>	Not Proved <u>      </u>
Defendant Caracappa	Proved <u>✓</u>	Not Proved <u>      </u>

D. Murder (Aiding and Abetting)

Defendant Eppolito	Proved <u>✓</u>	Not Proved <u>      </u>
Defendant Caracappa	Proved <u>✓</u>	Not Proved <u>      </u>

E. Murder for Hire

Defendant Eppolito	Proved <u>✓</u>	Not Proved <u>      </u>
Defendant Caracappa	Proved <u>✓</u>	Not Proved <u>      </u>

Racketeering Act Two: (James Hydell)

A. Kidnaping Conspiracy

Defendant Eppolito                      Proved ✓                      Not Proved       

Defendant Caracappa                      Proved ✓                      Not Proved       

B. Kidnaping (Aiding and Abetting)

Defendant Eppolito                      Proved ✓                      Not Proved       

Defendant Caracappa                      Proved ✓                      Not Proved       

C. Murder Conspiracy

Defendant Eppolito                      Proved ✓                      Not Proved       

Defendant Caracappa                      Proved ✓                      Not Proved       

D. Murder (Aiding and Abetting)

Defendant Eppolito                      Proved ✓                      Not Proved       

Defendant Caracappa                      Proved ✓                      Not Proved

**Racketeering Act Three:** (Nicholas Guido)

A. Criminal Facilitation (Aiding and Abetting)

Defendant Eppolito                      Proved ✓              Not Proved       

Defendant Caracappa                      Proved ✓              Not Proved       

B. Depraved Indifference Murder (Aiding and Abetting)

Defendant Eppolito                      Proved ✓              Not Proved       

Defendant Caracappa                      Proved ✓              Not Proved       

**Racketeering Act Four:** (Bribery from 1987-1993)

Defendant Eppolito                      Proved ✓              Not Proved       

Defendant Caracappa                      Proved ✓              Not Proved       

**Racketeering Act Five:** (An Individual)

A. Murder Conspiracy

Defendant Eppolito                      Proved ✓              Not Proved       

B. Murder (Aiding and abetting)

Defendant Eppolito                      Proved ✓              Not Proved

**Racketeering Act Six: (John "Otto" Heidel)**

A. Tampering with a Witness, Victim or Informant  
(Aiding and Abetting)

Defendant Eppolito                      Proved ✓              Not Proved       

Defendant Caracappa                      Proved ✓              Not Proved       

B. Retaliating Against a Witness, Victim or Informant  
(Aiding and Abetting)

Defendant Eppolito                      Proved ✓              Not Proved       

Defendant Caracappa                      Proved ✓              Not Proved       

C. Criminal Facilitation (Aiding and Abetting)

Defendant Eppolito                      Proved ✓              Not Proved       

Defendant Caracappa                      Proved ✓              Not Proved       

D. Depraved Indifference Murder (Aiding and Abetting)

Defendant Eppolito                      Proved ✓              Not Proved       

Defendant Caracappa                      Proved ✓              Not Proved       

**Racketeering Act Seven: (Obstruction of Justice regarding  
information about John "Otto" Heidel)**

Defendant Eppolito                      Proved ✓              Not Proved       

Defendant Caracappa                      Proved ✓              Not Proved

**Racketeering act Eight:** (Obstruction of Justice regarding information about Peter Savino)

Defendant Eppolito	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>
Defendant Caracappa	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>

**Racketeering Act Nine:** (Dominic Costa)

A. Retaliating Against a Witness, Victim or Informant  
(Aiding and Abetting)

Defendant Eppolito	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>
Defendant Caracappa	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>

B. Tampering with a Witness, Victim or Informant  
(Aiding and Abetting)

Defendant Eppolito	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>
Defendant Caracappa	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>

**Racketeering Act Ten:** (Anthony Dilapi)

A. Criminal Faciliation (Aiding and Abetting)

Defendant Eppolito	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>
Defendant Caracappa	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>

B. Depraved Indifference Murder (Aiding and Abetting)

Defendant Eppolito	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>
Defendant Caracappa	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>



**Racketeering Act Eleven** (Obstruction of Justice regarding information about Casso and Amuso's impending arrests)

A. Obstruction of Justice - Vic Amuso  
(Aiding and Abetting)

Defendant Eppolito	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>
Defendant Caracappa	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>

B. Obstruction of Justice - Anthony Casso  
(Aiding and Abetting)

Defendant Eppolito	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>
Defendant Caracappa	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>

**Racketeering Act Twelve** (Bruno Facciola)

A. Criminal Facilitation (Aiding and Abetting)

Defendant Eppolito	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>
Defendant Caracappa	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>

B. Depraved Indifference Murder (Aiding and Abetting)

Defendant Eppolito	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>
Defendant Caracappa	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>

**Racketeering Act Thirteen: (Edward Lino)**

A. Murder Conspiracy

Defendant Eppolito	Proved <u>✓</u>	Not Proved <u>    </u>
Defendant Caracappa	Proved <u>✓</u>	Not Proved <u>    </u>

B. Murder (Aiding and Abetting)

Defendant Eppolito	Proved <u>✓</u>	Not Proved <u>    </u>
Defendant Caracappa	Proved <u>✓</u>	Not Proved <u>    </u>

C. Murder for Hire

Defendant Eppolito	Proved <u>✓</u>	Not Proved <u>    </u>
Defendant Caracappa	Proved <u>✓</u>	Not Proved <u>    </u>

**Racketeering Act Fourteen: (Herman Tabak)**

A. Murder Conspiracy

Defendant Eppolito	Proved <u>✓</u>	Not Proved <u>    </u>
Defendant Caracappa	Proved <u>✓</u>	Not Proved <u>    </u>

B. Tampering with a Witness, Victim or Informant

Defendant Eppolito	Proved <u>✓</u>	Not Proved <u>    </u>
Defendant Caracappa	Proved <u>✓</u>	Not Proved <u>    </u>

**Racketeering Act Fifteen: (Conspiracy to Engage in Unlawful Monetary Transactions)**

Defendant Eppolito	Proved <u>✓</u>	Not Proved <u>    </u>
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Racketeering Act Sixteen: (Money Laundering)

Defendant Eppolito                      Proved ✓      Not Proved       

Racketeering Act Seventeen: (Narcotics Conspiracy/ Distribution)

A. Narcotics Conspiracy

Defendant Eppolito                      Proved ✓      Not Proved       

Defendant Caracappa                      Proved ✓      Not Proved       

B. Narcotics Distribution (Aiding and Abetting)

Defendant Eppolito                      Proved ✓      Not Proved       

Defendant Caracappa                      Proved ✓      Not Proved

Do you find that the conspiracy charged in Count One ended prior to March 9, 2000?

Yes \_\_\_\_\_

No ☒

If you have answered "yes," you must find the defendants NOT GUILTY of COUNT ONE. [Indicate whether you find the each defendant "guilty" or "not guilty" of the conspiracy charged in count one:

LOUIS EPPOLITO:

Guilty ☒

Not Guilty \_\_\_\_\_

STEVEN CARACAPPA:

Guilty ☒

Not Guilty \_\_\_\_\_

COUNT TWO: (Money Laundering)

Indicate whether you find the defendant Eppolito  
"guilty" or "not guilty" of this charge:

Guilty ✓ Not Guilty       

COUNT THREE: (Narcotics Conspiracy)

Indicate whether you find the defendants "guilty" or  
"not guilty" of this charge:

Defendant Eppolito: Guilty ✓ Not Guilty       

Defendant Caracappa: Guilty ✓ Not Guilty       

If you found either defendant guilty of Count Three:

(A) Did the conspiracy charged in Count Three involve  
methamphetamine?

Yes ✓ No       

(B) If "yes," did the conspiracy charged in Count Three  
involve more than five grams of methamphetamine?

Yes ✓ No

COUNT FOUR: (Narcotics Distribution) (Aiding and Abetting)

Indicate whether you find the defendants "guilty" or "not guilty" of this charge:

Defendant Eppolito: Guilty ☒ Not Guilty ☐  
Defendant Caracappa: Guilty ☒ Not Guilty ☐

If you found either defendant guilty of Count Four:

(A) Did offense charged in Count Four involve methamphetamine?

Yes ☒ No ☐

(B) If "yes," did the offense charged in Count Four involve more than five grams of methamphetamine?

Yes ☒ No ☐

\_\_\_\_\_  
Jury Foreperson